

## Regulations No. 168 of 21 February 2005 relating to administrative charges payable to the Norwegian Post and Telecommunications Authority

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## Regulations relating to administrative charges payable to the Norwegian Post and Telecommunications Authority

**Statutory authority:** Laid down by the Ministry of Transport and Communications on 21 February 2005 pursuant to Sections 1-4, 11-6, 12-1 and 12-2 of Act No. 83 of 4 July 2003 relating to Electronic Communications (Electronic Communications Act, cf. Decision on Distribution of Functions No. 881 of 4 July 2003, Section 20 of Act No. 73 of 29 November 1996 relating to the provision of universal postal services (Postal Services Act), cf. Delegated Decision No. 707 of 25 June 1999 and Section 24 of Act No. 81 of 15 June 2001 relating to electronic signatures, cf. Delegated Decision No. 615 of 15 June 2001 and Section 12 of Regulations No. 611 of 15 June 2001 concerning requirements for issuers of qualified certificates, etc. § 12.

**EEA references:** Annex XI point 5ck (Directive 2002/20/EC) of the EEA Agreement.

**Amendments:** Amended by Regulations No. 200 of 23 February 2007, No. 1570 of 18 December 2008.

## Chapter I

### § 1. *Division of administrative charges among administrative areas*

The total amount that the Norwegian Post and Telecommunications Authority may collect in administrative charges appears in the annual state budget.

Of the total amount,

- 1) 45.5% is to be collected from providers of electronic communications networks, electronic communications services and associated facilities, issuers of certificates under obligation to register under Section 18 of Act No. 81 of 15 June 2001 relating to electronic signatures or covered by voluntary certification or self-declaration schemes, cf. Section 16a, holders of licences for the use of number, name and address resources and undertakings that register domain names under the Norwegian national top level domain.
- 2) 45.5% is to be collected from holders of radio frequency licences, and
- 3) 6% is to be collected from registered importers, manufacturers and radio dealers, from authorised installers and from holders of licences for aeromobile equipment and emergency beacons and other radio equipment and as administrative charges for national approval of radio and terminal equipment, and
- 4) 3% is to be collected from postal operators.

0 Amended by Regulations No. 200 of 23 February 2007.

## **§ 2. Charge period**

Administrative charges are calculated either as a one-time administrative charge or as annual administrative charges for whole calendar years (charge period).

An administrative charge shall be paid for the calendar year during which the licence, registration or authorisation is valid at the start of the year. An administrative charge shall also be paid for the entire calendar year for the year registration is effected or the licence or authorisation granted. If the licence, registration or authorisation is terminated before the end of a calendar year, there will be no administrative charges for the following year.

0 Amended by Regulations No. 1570 of 18 December 2008 (in force 1 January 2009).

## **Chapter II**

### **§ 3. Administrative charges for licences for the use of number, name and address resources**

The annual administrative charges for the use of number resources in numbering plans for telephones (E.164) are:

1. for licences for the use of 8-digit numbers, NOK 10,000, or when this will result in higher administrative charges
  - a) for 8-digit numbers in the 8xx-series, NOK 0.20 for each number
  - b) for 8-digit numbers in the 2, 3, 5, 6 and 7 series, NOK 0.05 for each number
  - c) for 8-digit numbers in the 4 and 9 series, NOK 0.15 for each number
2. for 4-digit numbers in the 18xx-series, NOK 4,000 for each number
3. For 5-digit numbers, NOK 3,000 for each number. For 5-digit number for non-commercial purposes of socially beneficial nature, the charge is NOK 2,000 for each number
4. for each carrier selection code for providers of electronic communications networks used for publicly available electronic communications services, NOK 4,000.

Annual administrative charges for use of number resources in other national mandatory numbering plans are for:

1. X.121 DNIC, NOK 6,000
2. X.121 PNIC (DNIC + 2 or 3 digits), NOK 6,000
3. E.118 issuer identifier number (IIN), NOK 6,000
4. E.167 ISDN code for restricted user groups, NOK 6,000
5. E.212 mobile network code (MNC), NOK 6,000
6. E.214 network code (NC) for land mobile networks, NOK 6,000
7. Q.704 national signalling point codes (NI=3) regardless of the number of signalling point codes assigned, NOK 5,000
8. Q.708 international signalling point codes (NI=0) regardless of the number of signalling point codes assigned, NOK 5,000
9. T.35 provider code, NOK 6,000
- 10 Provider code for provider portability, NOK 4,000

The one-time charge for a licence for use and registration in accordance with voluntary numbering plans is NOK 5,000 for:

1. registration of ADMD domain names for X.400 electronic mail
2. registration of PRMD domain names for X.400 electronic mail
3. licences for the use of EDI identifier for use in EDIFACT
4. licences for the use of ISO-DCC network addresses (NSAP addresses)
5. licences for the use of object identifiers.

0 Amended by Regulations No. 1570 of 18 December 2008 (in force 1 January 2009).

#### **§ 4. Administrative charges for postal operators**

The Norwegian Post and Telecommunications Authority may by individual decision set annual charges for postal operators under Section 20 of Act No. 73 of 29 November 1966 relating to the provision of universal postal services (Postal Services Act). The amount collected shall be in accordance with Section 1 second paragraph no. 4.

#### **§ 5. Administrative charges for issuers of certificates and registration of domain names**

The Norwegian Post and Telecommunications Authority may by individual decision set annual charges for issuers of certificates under obligation to register pursuant to Section 18, cf. Sections 3 and 24, of Act No. 81 of 15 June 2001 relating to electronic signatures, or that are covered by voluntary certification schemes, approval schemes or self-declaration schemes, cf. Section 16 a and Section 14 of the Regulations relating to voluntary self-declaration schemes for issuers of certificates.

The Norwegian Post and Telecommunications Authority may by individual decision set annual charges for undertakings that register domain names pursuant to Section 7-1, cf. Section 12-1, of Act No. 83 of 4 July 2003 relating to electronic

communications, cf. and Regulations No. 990 of 1 August 2003 (Domain Regulations).

0 Amended by Regulations No. 200 of 23 February 2007. 200.

**§ 6. *Administrative charges for providers of electronic communications networks, electronic communications services and associated facilities.***

The total administrative charges to be divided among providers of electronic communications networks, electronic communications services and associated facilities are the amount stipulated in Section 1 second paragraph no. 1, less charges under Sections 3 and 5.

The amount pursuant to the first paragraph shall be divided proportionately among providers with relevant revenues in excess of NOK 30 million during the accounting year immediately prior to the charge period. Each provider shall pay a fraction of this amount corresponding to that provider's share of total relevant revenues of the parties that shall pay administrative charges under this paragraph. Relevant revenues are revenues for electronic communications networks and services, i.e. retail revenue for external sales in corporate groups or companies in the markets for telephony, leased lines, broadband and broadcasting (except satellite broadcasting), etc., at an overall level and geographically limited to Norway.

The Norwegian Post and Telecommunications Authority may divide the charges according to criteria other than revenues in order to attain a more proportionate division of the charges. Such criteria may include the share of the number of subscribers or share of traffic volume at the retail level. Where other criteria are employed, they shall apply to entire markets or portions of individual markets, cf. second paragraph. The division of the charges according to such criteria shall follow the same guidelines that apply to division according to revenues in the second paragraph, to the extent they are suitable. This also applies to assessments of the total activity or other bases for the criterion, including the total number of subscriptions and the total traffic volume in the corporate group. The revenue limits in the second paragraph first sentence apply correspondingly.

0 Amended by Regulations No. 200 of 23 February 2007, No. 1570 of 18 December 2008. (in force 1 January 2009).

### **Chapter III**

**§ 7. *Administrative charges for amateur radio licences***

Holders of a radio amateur licence shall pay a one-time charge of NOK 2,000.

0 Amended by Regulations No. 1570 of 18 December 2008 (in force 1 January 2009).

**§ 8. *Administrative charges for radio frequency licences***

A radio frequency licence is a licence to make use of part of the electromagnetic spectrum. A transmitter licence is a radio frequency licence that entitles the holder to make use of the spectrum with specific radio transmitters. A spectrum licence is a radio frequency licence that entitles the holder to utilise a portion of the spectrum in a geographic area without defining where the radio transmitters are to be located.

The total administrative charges to be divided among holders of radio frequency licences under Sections 8 through 12 are the amount stipulated in Section 1 second paragraph no. 2, less charges under Sections 7 and 13.

The amount pursuant to the second paragraph shall be divided as follows.

- a) 40% among holders of radio frequency licences for Professional Mobile Radio and transmitter licences for low-power systems.
- b) 8% among holders of transmitter licences in frequency bands planned for broadcasting services, except for transmitters for analogue television broadcasting. Administrative charges for retransmission of broadcasting shall also be calculated pursuant to this litra.
- c) 3% among holders of transmitter licences for analogue television broadcasting, but not transmitter licences for retransmission. The charges for transmitter licences for analogue television broadcasting, but not transmitter licences for retransmission, are to be collected by holders of licences in the 470-790 MHz frequency band with effect from the date all licences for analogue television broadcasting, except for licences for retransmission, terminate or are relinquished.
- d) 10% among holders of transmitter licences other than those that come under litra a, b or c.
- e) 39% among holders of spectrum licences.

0 Amended by Regulations No. 200 of 23 February 2007, No. 1570 of 18 December 2008. (in force 1 January 2009).

**§ 9. Administrative charges for radio frequency licences for Professional Mobile Radio and transmitter licences for low-power systems**

Holders of a spectrum licence for Professional Mobile Radio shall pay NOK 100,000 for each PMR network they own and NOK 6,250 for each 12,5 kHz channel assigned. If the regional licence covers more than two regions, the holder shall pay the same amount as for a nationwide spectrum licence.

Holders of regional spectrum licences for Professional Mobile Radio shall pay a fixed amount for each region the licence pertains to and NOK 2,000 for each 12.5 kHz channel assigned. The fixed amount that the holders are to pay appears in the table below.

Region 1	Oslo, Akershus, Østfold, Vestfold, Buskerud, Telemark	NOK 40,000
Region 2	Aust-Agder, Vest-Agder, Rogaland	NOK 20,000
Region 3	Hordaland, Sogn og Fjordane, Møre og Romsdal	NOK 20,000
Region 4	Oppland, Hedmark	NOK 20,000
Region 5	Sør-Trøndelag, Nord-Trøndelag	NOK 20,000
Region 6	Nordland, Troms and Finnmark	NOK 20,000

The total charges under Section 9 first and second paragraphs shall be deducted from the amount pursuant to Section 8 third paragraph litra a. The resulting amount is to be divided among holders of transmitter licences for Professional Mobile Radio and transmitter licences for low-power systems in the following manner: Base stations and low-power licences are assigned a weight of 5. Mobile stations are assigned a weight of 1. The administrative charge for stations and licences for low-power systems will be equal to their weight divided by the total number of weighted stations with transmitter licences and licences with low-power equipment multiplied by the amount pursuant to Section 9 third paragraph first sentence.

0 Amended by Regulations No. 1570 of 18 December 2008 (in force 1 January 2009).

**§ 10. Administrative charges for transmitter licences in frequency bands planned for broadcasting services**

Holders of transmitter licences for nationwide broadcasting networks shall pay a charge component of NOK 500,000 for each network, plus charges for each transmitter pursuant to the third paragraph.

Holders of transmitter licences for other broadcasting networks shall pay a charge component of NOK 2,000 for each network, plus charges for each transmitter pursuant to the third paragraph.

The total charges pursuant to the first and second paragraphs shall be deducted from the amount pursuant to Section 8 third paragraph litra b, but during the period until all licences for analogue broadcasting, except for licences for retransmission, terminate or are relinquished, the total charges pursuant to the first and second paragraphs shall instead be deducted from the amount pursuant to Section 8 third paragraph litra b and c. The resulting amount shall be divided among holders of transmitter licences in frequency bands planned for broadcasting services in the following manner: The charge for each transmitter shall be equal to its weight divided by the total number of weighted transmitters and then multiplied by the amount pursuant to the third paragraph first sentence.

Transmitters that come under more than one category will be assigned a weight equal to the product of the weight in each category. Transmitters are assigned weights as in the table below.

<b>Category</b>	<b>Weight</b>
Transmitter power less than 50 W	3.0
Transmitter power from and including 30 up to and including 1,000 W	5.0
Transmitter power greater than 1,000 W	10.0
Transmitters in frequency bands below 30 MHz	50.0
Transmitter in national network	0.5

0 Amended by Regulations No. 1570 of 18 December 2008 (in force 1 January 2009).

**§ 11. Administrative charges for other transmitter licences**

Administrative charges for licences not covered by Section 9 third paragraph and Section 10 are calculated pursuant to this section.

Holders of transmitter licences for public electronic communications networks on board ships shall pay a charge component for each licence of NOK 5,000 plus NOK 2,000 per ship the licence pertains to.

Transmitter licences for earth stations for satellites and stations used for research are assigned a weight of 55.

Stations in radio telemetry systems, point-to-point/multipoint, are assigned a weight depending on effective radiated power (ERP) in the following manner:

- a) Stations with power less than or equal to 0.5 W are assigned a weight of 2.
- b) Stations with power greater than 0.5 W are assigned a weight of 8.

Other transmitters are assigned weights as in the table below.

<b>Frequency band</b>	<b>Bandwidth</b>	<b>Weight</b>
Frequency band lower than 1 GHz	Up to and including 25 kHz	5.0
Frequency band lower than 1 GHz	From 25 kHz up to and including 150 kHz	8.0
Frequency band lower than 1 GHz	Above 150 kHz	25.0
Frequency band from and including 1 GHz to 4 GHz	Up to and including 2 MHz	8.0
Frequency band from and including 1 GHz to 4 GHz	Above 2 MHz	12.0
Frequency band from and including 4 GHz to 9 GHz	Up to and including 25 MHz	10.0
Frequency band from and including 4 GHz to 9 GHz	From 25 MHz to 55 MHz	14.0
Frequency band from and including 4 GHz to 9 GHz	From and including 55 MHz	25.0
Frequency band from and including 9 GHz to 20 GHz	Up to and including 25 MHz	6.0
Frequency band from and including 9 GHz to 20 GHz	From 25 MHz to 55 MHz	8.0
Frequency band from and including 9 GHz to 20 GHz	From and including 55 MHz	13.0
Frequency band from and including 20 GHz to 40 GHz	Up to and including 25 MHz	3.0
Frequency band from and including 20 GHz to 40 GHz	From 25 MHz to 55 MHz	4.0
Frequency band from and including 20 GHz to 40 GHz	From and including 55 MHz	7.0
Frequency band from and including 40 GHz	Up to 2.5 GHz	2.0
Frequency band from and including 40 GHz	From and including 2.5 GHz	4.0

The total charges pursuant to the second paragraph shall be deducted from the fixed amount pursuant to Section 8 third paragraph litra d. The resulting amount shall be divided among holders of transmitter licences, so that the charge for each transmitter is equal to the weight of the transmitter divided by the total number of weighted transmitters and then multiplied by the amount pursuant to the sixth paragraph first sentence.

0 Amended by Regulations No. 1570 of 18 December 2008 (in force 1 January 2009).

## **§ 12. Administrative charges for spectrum licences**

Administrative charges for spectrum licences not covered by Section 9 first and second paragraph are stipulated pursuant to this section.

20% of the amount pursuant to Section 8 third paragraph litra e shall be divided among holders of spectrum licences by an equal amount for each continuous

frequency block assigned. They shall also pay a charge pursuant to the third paragraph.

The amount pursuant to Section 8 third paragraph litra e, less the sum of the fixed charge components pursuant to Section 12 second paragraph, shall be divided among holders of spectrum licences in proportion to the bandwidth covered by the spectrum licence. Bandwidths are assigned a weight equal to  $1/f$ , where  $f$  is the centre frequency in the frequency band the frequency block is situated in. Bandwidths are also assigned a weight as in the table below. Frequency bands not mentioned in the table are assigned a weight equal to 1. For regional licences, this weight is multiplied by the fraction of the population of Norway living in the area covered by the licences. The charges calculated on the basis of assigned bandwidth are equal to the weighted bandwidth covered by the spectrum licence divided by the total weighted bandwidth multiplied by the amount pursuant to the third paragraph first sentence.

<b>Frequency band</b>	<b>Weight</b>
47-68 MHz	0.1
174-240 MHz	7.0
380-430 MHz	3.0
450-470 MHz	5.0
470-790 MHz	2.0
870-880/915-925 MHz	4.0
880-915/925-960 MHz	9.0
1785-1805 MHz	7.0
1710-1785/1805-1880 MHz	17.0
1900-1980/2110-2170 MHz	20.0

<sup>0</sup> Amended by Regulations No. 1570 of 18 December 2008 (in force 1 January 2009).

### **§ 13. Other frequency charges**

The Norwegian Post and Telecommunications Authority may by individual decision set administrative charges for international coordination of satellite activities, administrative charges for the Armed Forces' radio frequency licences, administrative charges for radio frequency licences for maritime radio activities and administrative charges for radio frequency licences in connection with aviation activities.

The Norwegian Post and Telecommunications Authority may by individual decision set administrative charges for radio frequency licences that are not covered by the rules in the first paragraph or pursuant to the rules in Sections 7 through 12.

<sup>0</sup> Amended by Regulations No. 1570 of 18 December 2008 (in force 1 January 2009, previously Section 14).

## **Chapter IV**

### **§ 14. Administrative charges for aeromobile radio equipment**

The one-time charge for registration of radio equipment installed on board aircraft is for:

1. fully equipped aircraft over 9,000 kg, NOK 6,600
2. fully equipped aircraft below 9,000 kg, NOK 3,300
3. aircraft that are not fully equipped, NOK 1,300

The annual charge is NOK 500 for:

1. licences for aeromobile radio communication equipment on board aircraft
2. licences for aeromobile radio navigation equipment on board aircraft
3. licences for pulse equipment on board aircraft
4. licences for emergency locator transmitters (ELTs) on board aircraft

The annual charge for licences for telecommunications terminals on board aircraft is NOK 1,300.

The annual charge for licences for radio equipment that can transmit data/voice on land mobile, maritime and/or private channels on board aircraft is NOK 850.

0 Amended by Regulations No. 1570 of 18 December 2008 (in force 1 January 2009, previously Section 15).

#### **§ 15. *Administrative charges for licences for personal emergency beacons***

The annual charge for licences for personal emergency beacons is NOK 600.

0 Amended by Regulations No. 1570 of 18 December 2008 (in force 1 January 2009, previously Section 16).

#### **§ 16. *Administrative charges for registered vendors or radio dealers***

The administrative charge for registered vendors of radio and terminal equipment is NOK 6,000

The administrative charge for registered radio dealers is NOK 1,200.

0 Amended by Regulations No. 1570 of 18 December 2008 (in force 1 January 2009, previously Section 17).

#### **§ 17. *Administrative charges for authorised installers***

The total charges under Sections 14 through 16 and Section 18 shall be deducted from the amount pursuant to Section 1 second paragraph no. 3. The charge for each authorisation is then the amount pursuant to the first sentence, divided by the total number of authorisations in the categories telecommunications installer, radio installer and cable TV installer.

0 Amended by Regulations No. 1570 of 18 December 2008 (in force 1 January 2009).

#### **§ 18. *Other administrative charges***

The Norwegian Post and Telecommunications Authority may by individual decision set charges for approval of radio and terminal equipment and for licences for radio equipment not covered by the rules in Sections 14 through 16.

0 Amended by Regulations No. 1570 of 18 December 2008 (in force 1 January 2009).

## **Chapter V**

#### **§ 19. *Exemptions***

The Norwegian Post and Telecommunications Authority may in special cases grant exemptions from Chapters I, II, III and IV.

Large fluctuations in the administrative charge from one year to the next shall be regarded as a special case when the variation is not intended.

**§ 20. Appeals body**

The Ministry of Transport and Communications shall decide on appeals against individual decisions pursuant to these regulations.

**§ 21. Sanctions**

If administrative charges are not paid, the Norwegian Post and Telecommunications Authority may, within the framework of Section 10-8 of the Electronic Communications Act, revoke licences, deny use and refuse to issue new licences.

The use of sanctions does not affect the obligation to pay the stipulated administrative charges.

**§ 22. Entry into force, etc.**

These Regulations enter into force from 1 March 2005.

From the same date that the Regulations enter into force, Regulations No. 302 of 20 March 2000 relating to administrative charges payable to the Norwegian Post and Telecommunications Authority are repealed.